

REMARKS

This application has been reviewed in light of the Office Action dated July 16, 2003, and the telephone interview conducted by one of Applicant's attorneys with the Examiner on September 4, 2003. Claims 14-16, 19-21, 23, 28, 31, and 32 are pending in this application. Claims 17, 18, and 30 have been cancelled, without prejudice or disclaimer of subject matter, and their subject matter has been incorporated into independent Claim 14 and Claim 28, accordingly. The changes to Claim 14 and Claim 28 define still more clearly what Applicant regards as his invention, in terms that distinguish over the art of record. Favorable reconsideration is requested.

The Office Action objected to Claims 28, and 30-32, asserting that in Claim 28, line 7, "mount table" be changed to --mount table;--. Applicant has made this change and respectfully requests withdrawal of this objection.

Claims 14-18, 20, 21, 23, 28, and 30-32 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohyama et al. (U.S. Patent No. 5,247,330) in view of Ishikawa et al. (U.S. Patent No. 4,939,580), and Claim 19 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohyama et al. in view of Ishikawa et al., and further in view of Mizoguchi (EP 617562). Cancellation of Claims 17, 18, and 30 renders their rejections moot.

Applicant submits that amended independent Claims 14 and 28, together with the remaining claims dependent thereon, are patentably distinct from the proposed combination of the cited prior art at least for the following reasons.

The aspect of the present invention set forth in Claim 14 is an image input device for picking up an image of one or more subjects by switching an image pickup direction. The image input device includes an image pickup unit, an image pickup direction switch, a mount table, an angle detection unit, and a control unit. The image pickup unit picks up an image of a subject and outputs an image signal corresponding to the picked-up image. The image pickup direction switch switches the image pickup direction of the image pickup unit and the mount table lays a subject thereon. The

image pickup direction switch switches the image pickup direction of the image pickup unit between a direction for picking up an image of the subject laid on the mount table and a direction for picking up an image of a subject not on the mount table. The angle detection unit detects a change of an angle of the image pickup direction, and the control unit automatically stores an image signal in a storage unit according to a change of an angle of the image pickup direction detected by the angle detection unit. The control unit stores the image signal when the image pickup direction of the image pickup unit is switched from a direction for picking up an image of a document to a direction for picking up an image of a person, and causes the stored image signal to be output when the image pickup unit is switched from the document image pickup direction to the person image pickup direction.

Among the notable features of Claim 1 are that the control unit *stores* the image signal when the image pickup direction of the image pickup unit is switched from a direction for picking up an image of a document to a direction for picking up an image of a person, and that the control unit *causes* the stored image signal to be *output* when the image pickup unit is switched from the document image pickup direction to the person image pickup direction.

Ohyama et al. relates to an image input device. The Office Action states at page 4, in regard to the subject matter of canceled Claim 17 (incorporated into Claim 14), that Ohyama et al. discloses a camera unit 2 capable of moving in the direction indicated by arrow “a” and states that column 4, lines 34-40, of the Ohyama et al. specification, provides support for this assertion. This section states “[r]eferring to FIG. 1, the button ‘A’ 12 is operated to rotate the camera unit 2 in the direction indicated by arrow ‘a’, and the button ‘B’ 13 is operated to rotate the upper frame 3 in the direction indicated by arrow ‘c’, to thereby set the camera unit 2 to a close-up position. The illumination units 6 and 7 are rotated to move them down to the original pedestal 5.” Applicant submits that this section relates to operating the camera unit in a certain direction to set its position, and nothing in this section, or any other section, of the Ohyama et al. specification would teach or suggest the subject matter from canceled Claim 17 incorporated into Claim 14, i.e., when the control unit stores the

image signal when the image pickup direction of the image pickup unit is switched from a direction for picking up an image of a document to a direction for picking up an image of a person.

Ishikawa et al. relates to a picture-reading apparatus. The Office Action states at page 5, in regard to the subject matter of canceled Claim 18 (incorporated into Claim 14), that Ishikawa et al. discloses a control unit adapted to cause the stored image signal to be output, and states that Figure 10, when the connection member 133 is at position 132A or 132B, the video signal 126 is read out, provides support for this assertion. Applicant submits that the Ishikawa et al. specification, at least at column 8, lines 28-52, with reference to Figure 10, discusses the positioning of the connection member 133 in relation to rotary terminal chip 131 and fixed terminal chip 132, and based on their positioning, either outputs or does not output a video signal 126. Applicant submits, however, that even if this section discusses a stored video image signal being output, nothing in this section, or any other section, of Ishikawa et al. would teach or suggest an image being output when the image pickup unit is switched from the document image pickup direction to the person image pickup direction.

Accordingly, Applicant submits that at least for these reasons, Claim 14 is patentable over the cited prior art, when taken separately or in any proposed combination.

Independent Claim 28 is a method claim that corresponds to apparatus Claim 14, and is believed to be patentable for at least the same reasons as discussed above in connection with Claim 14.

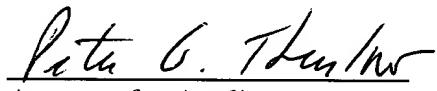
A review of the other art of record, including Mizoguchi, has failed to reveal anything that, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as applied against the independent claims herein. Therefore, those claims are respectfully submitted to be patentable over the art of record.

The other rejected claims in this application depend from one or another of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,


Peter G. Thaler
Attorney for Applicant

Registration No. 47,138

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 382564v1